

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor: Eric J. Sprunk	)	Confirmation No : 9042
	)	
U.S. Serial No : 09/827,630	)	Customer No : 000043471
	)	
Filed: April 6, 2001	)	Art Unit: 2135
	)	
	)	Examiner: Pich, Ponnoreay
	)	
Title: AUTHORIZATION USING CIPHERTEXT TOKENS		

DECLARATION UNDER 37 C.F.R. § 1.131

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

I, Eric J. Sprunk, hereby declare as follows.

I am the named and true inventor in the above referenced patent application and that I am the sole inventor of the subject matter disclosed and claimed in the above referenced patent application.

2. I submitted a description of my invention, now claimed in claims 1-7 and 11-14 of the above application, to the law department of General Instrument Corporation in an "Invention Record Form." I signed the Invention Record Form on October 5, 1999 and the signatures on the Invention Record Form are my own. A copy of the Invention Record Form was provided with the Response dated January 27, 2006 as Attachment A.

3. I conceived the invention recited in claims 1-7 and 11-14 of the above application prior to July 14, 1998. See Attachment A, Invention Record Form.

4. I conceived the invention recited in claims 1-7 and 11-14 prior to June 2, 1998. The conception of the invention prior to this date is attested to in paragraph III(9) of the aforementioned General Instrument Corporation Invention Record Form No. D02316CIP4, and evidenced by the June 2, 1998 General Instrument Memorandum entitled "Application Security for TCI." This memorandum was referenced in and physically attached to General Instrument Corporation Invention Record Form No. D02316CIP4 when the form was witnessed by Alexander Medvinsky, a General Instrument Corporation employee, on November 5, 1999. See Attachment A.

5. The June 2, 1998, "Application Security for TCI" memorandum was provided to fellow General Instrument employees Paul Moroney, Gary Albeck, B. Meandija, Petr Peterka, Xin Qui, Stuart Moskovics, Steven Anderson, K. Miller, J. Fellows, Annie Chen, Lawrence Tang, Mark DePietro, Douglas Makofka, Reem Safadi, and Lawrence Vince (as evidenced by the distribution list on the face of the memorandum). The June 2, 1998, "Application Security for TCI" memorandum was confidential and was never accessible by the public.

6 In Paragraph III(9) of the aforementioned General Instrument Corporation  
Invention Record Form No. D02316CIP4 I refer to page 9, "Security Level 8" of the June  
2, 1998, "Application Security for TCI" memorandum as providing a description of the  
invention. I specifically recited "See attached 6/2/98 memo and more specifically  
security level 8 on pg. 9."

7 I exercised due diligence from prior to July 14, 1998 until the filing of  
Application No. 09/580,303 filed on 5/26/2000 and provisional patent applications  
60/158,491 filed on 11/12/1999, 60/165,094 filed on 11/12/1999, and 60/174,037 filed on  
12/30/1999, from which the present application, which was filed on 4/6/2001, depends.

8 Upon information and belief, the stamp bearing the date of October 8, 1999 on the  
front of the Invention Record Form was placed thereon by the law department of General  
Instrument Corporation and indicates the date of receipt of the Invention Record Form.

9 I hereby declare that all statements made herein based upon knowledge are true,  
and that all statements made based on upon information and belief are believed to be true,  
and further, that these statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine or imprisonment, or both, under  
Section 1001 of Title 18 of the United States Code, and that such willful false statements  
may jeopardize the validity of the application or any patent issued thereon.

Dated: 9 Oct 2006

By:   
Eric J. Sprunk